

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks. Claims 31-51, 53-79, and 81-88 are pending, with claims 31, 47, 62, 69, and 76 being the independent claims. Based on the foregoing Amendments and the following Remarks, the Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections.

Interview Summary

The undersigned appreciates the time and attention extended by Examiners Jakovac and Srivastava during the telephonic interviews conducted on April 29, 2010 ("the April Interview") and May 17, 2010 ("the May Interview"). During the April Interview, the Applicant's representatives and the Examiners discussed U.S. Patent Application Publication No. 2003/0220978 to Rhodes ("*Rhodes*") in view of the claims and specification of the present application. The Applicant's representatives and the Examiners discussed potential claim amendments to further clarify distinctions of the present application over *Rhodes*. The Applicant's representatives suggested the May Interview to discuss specific potential amendments to the claims. The Examiners agreed to the subsequent the May Interview.

During the May Interview, Examiner Jakovac and the Applicant's representative discussed potential claim amendments in view of *Rhodes*. The Examiner agreed that the amendments to the claims included herein distinguish over the rejections under 35 U.S.C. § 102(e) based on *Rhodes*. The Examiner noted that additional searching would be required before a determination regarding patentability of the amended claims could be reached.

Claims 31, 47, 62 and 67 and the Claims Depending Therefrom are Allowable

Claims 31-36, 38-51, 53, 54, 56-75 and 85-87 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Rhodes*. Claims 37 and 55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rhodes* in view of International Patent Publication No. WO 01/10090 to Tomkow ("Tomkow").

As discussed during the May Interview, *Rhodes* fails to disclose “the identification data distinguishing said electronic message from other electronic messages authorized by the originator,” as recited in independent claims 31, 47, 62 and 67. Furthermore, *Tomkow* fails to remedy at least this deficiency of *Rhodes*. Accordingly, for at least the reasons stated above, the Applicant respectfully submits that independent claims 31, 47, 62 and 67, and, therefore, the claims that depend from claims 31, 47, 62 and 67 are allowable. Therefore, the Applicant respectfully requests that the rejections of claims 31-36, 38-51, 53, 54, 56-75 and 85-87 under 35 U.S.C. §§ 102(e) and 103(a) be withdrawn.

Claim 76 and the Claims Depending Therefrom are Allowable

Claims 76-79, 81-84 and 88 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Rhodes*.

As discussed during the May Interview, *Rhodes* fails to disclose “receiving from the sending device a second electronic message different from said first electronic message authorized by the originator, said second electronic message containing information identifying the originator; and sending to the confirmation device a second confirmation request requesting confirmation that said second electronic message was authorized by the originator,” as recited in independent claim 76. Accordingly, for at least this reason, the Applicant respectfully submits that independent claim 76, and, therefore, the claims that depend from claim 76 are allowable. Therefore, the Applicant respectfully requests that the rejections of claims 76-79, 81-84 and 88 under 35 U.S.C. § 102(e) be withdrawn.

Conclusion

In view of the foregoing, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that such rejections be withdrawn. The Applicant believes that a full and complete response has been made to the outstanding office action and thus that the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

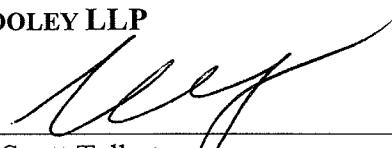
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